

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

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U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

2006 SEP 19 AM 8:03

CEDAR RAPIDS HQTRS. OFFICE

No. 06-AO-00 *10* -P

BY _____

IN RE

FILING MATERIALS UNDER SEAL
WITHOUT PRIOR COURT ORDER

ADMINISTRATIVE ORDER

The court recognizes that certain materials filed with the Clerk of Court routinely are permitted to be filed under seal, and in such instances, the sealing procedures in Local Rule 5.1(c) can be an unnecessary burden to the parties, the court and the Clerk of Court. Accordingly,

IT IS HEREBY ORDERED that notwithstanding the procedures set out in Local Rule 5.1(c) and/or Section IX(A) of the ECF Procedures Manual for filing materials under seal, a party may file the following documents under seal without first filing a request for leave to do so, and without an order authorizing the filing of the materials under seal:

1. Motions and financial affidavits of defendants, witnesses, and accused persons seeking representation of an attorney at government expense under the Criminal Justice Act or the United States Constitution;
2. Motions for issuance of subpoenas;
3. Motions for issuance of arrest warrants;
4. Motions for leave to subpoena witnesses at government expense under the Criminal Justice Act;
5. Motions for issuance of writs of habeas corpus ad testificandum;
6. Motions under the Criminal Justice Act for authorization to incur expenses for expense, investigative or other services;
7. Motions of attorneys to withdraw from representation of a defendant in a criminal case;
8. Motions by defendants in criminal cases to discharge their attorney;
9. Motions filed pursuant to Section 5(k)1.1 of the United States Sentencing Guidelines for a downward departure;

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10. Motions filed pursuant to Section 3553(e) of Title 18, United States Code, for authority to impose a sentence below a statutory minimum;
11. Motions filed pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure to reduce a sentence for substantial assistance;
12. Reports filed by the United States Probation Office relating to offenders under supervision;
13. Motions to review, modify or revoke the terms and conditions of pretrial release;
14. Motions to review, modify or revoke a term of supervised release;
15. Motions to review, modify or revoke a term of probation;
16. Materials to be filed by the Clerk of Court under seal pursuant to a regulation, status, or law of the United States (e.g., records, subpoenas and other materials filed in relation to proceedings before a United States Grand Jury, and motions and other materials relating to Title III wiretaps instituted pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, Title 18 U.S.C. §§ 2510-2522);
17. Sentencing memorandums; and
18. Motions resistances and other responses to motions or reports filed under seal pursuant to this administrative order.

Materials filed under seal pursuant to this administrative order must either (1) have the caption of the case as the heading of the document or (2) be filed in a sealed envelope marked with the caption of the case. The caption of materials filed pursuant to this administrative order must contain the notation "TO BE SEALED PURSUANT TO ADMINISTRATIVE ORDER". Otherwise, the materials will be filed without being sealed, and therefore will be included in the public case file.

The Clerk of Court is directed to place a copy of this order in the Public Administrative Orders binder.

DONE AND ORDERED this 18 day of September, 2006.


Mark W. Bennett, Chief U.S. District Judge
UNITED STATES DISTRICT COURT


Linda R. Reade, U.S. District Judge
UNITED STATES DISTRICT COURT